should regain its authority through a Federal fishery management plan developed by the Council, the States will continue their cooperative management.

Congress has acted favorably on this issue in the past, and I urge passage of this non-controversial bill. I want to thank Members on both sides of the aisle for their cooperation, especially the Members who sponsored this legislation; and I want to thank the staff on both sides of the aisle for helping this legislation along.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the bill as well. As my colleague has explained, H.R. 1661, introduced by our colleague, the gentleman from California (Mr. GEORGE MILLER), allows the States of California, Oregon, and Washington to continue to cooperatively adopt and enforce State laws to manage the Dungeness crab fishery in Federal waters along the West Coast of the United States.

The States were first granted this interim authority in 1996 while future options for managing its fishery were explored. The compelling reason at that time was a need to accommodate the rights of Northwest Indian tribes to harvest a share of the crab resource off of the coast of Washington while the options for future management by the Pacific Fisheries Management Council were explored.

The State management program worked well, and the Pacific Fishery Management Council has requested that the Congress allow the State management authority to be extended in lieu of a Federal plan.

We have done that once already through legislation, and this bill would continue that authority indefinitely. It does not override the Council's authority in any way, as State authority would expire should the Council ever decide to develop a Federal plan. In the meantime, however, it ensures strong conservation and management of the Dungeness crab fishery, that it will continue, and is supported by all three States, the tribes, the processors and the fishermen. I urge Members to support the passage of H.R. 1661 today.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILCHREST. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 1661.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHILD STATUS PROTECTION ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1209) to amend the Immigration and Nationality Act to determine whether an alien is a child, for purposes of classification as an immediate relative, based on the age of the alien on the date the classification petition with respect to the alien is filed, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Status Protection Act of 2001''.

SEC. 2. USE OF AGE ON PETITION FILING DATE, PARENT'S NATURALIZATION DATE, OR MARRIAGE TERMINATION DATE, IN DETERMINING STATUS AS A CHILD OF A CITIZEN.

(a) IN GENERAL.—Section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended by adding at the end the following:

''(f) RULES FOR DETERMINING WHETHER CERTAIN ALIENS ARE IMMEDIATE RELATIVES.—

''(1) AGE ON PETITION FILING DATE.—Except as provided in paragraphs (2) and (3), for purposes of subsection (b)(2)(A)(i), a determination of whether an alien satisfies the age requirement in the matter preceding subparagraph (A) of section 101(b)(1) shall be made using the age of the alien on the date on which the petition is filed with the Attorney General under section 204 to classify the alien as an immediate relative under subsection (b)(2)(A)(i).

''(2) AGE ON PARENT'S NATURALIZATION DATE.—In the case of a petition under section 204 initially filed for an alien child's classification as a family-sponsored immigrant under section 203(a)(2)(A), based on the child's parent being lawfully admitted for permanent residence, if the petition is later converted, due to the naturalization of the parent, to a petition to classify the alien as an immediate relative under subsection (b)(2)(A)(i), the determination described in paragraph (1) shall be made using the age of the alien on the date of the parent's naturalization.

''(3) AGE ON MARRIAGE TERMINATION DATE.—In the case of a petition under section 204 initially filed for an alien's classification as a family-sponsored immigrant under section 203(a)(3), based on the alien's being a married son or daughter of a citizen, if the petition is later converted, due to the legal termination of the alien's marriage, to a petition to classify the alien as an immediate relative under subsection (b)(2)(A)(i), the determination described in paragraph (1) shall be made using the age of the alien on the date of the termination of the marriage.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to all petitions and applications pending before the Department of Justice or the Department of State on or after such date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1209, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1209, the Child Status Protection Act of 2001, was introduced by the gentleman from Pennsylvania (Mr. GEKAS), the chairman of the Subcommittee on Immigration and Claims, and the ranking member, the gentlewoman from Texas (Ms. JACKSON-LEE).

This bill is another example of Congress having to clean up a mess made by the Immigration and Naturalization Service. Under current law, aliens residing in the United States who are eligible for permanent resident status must adjust their status with the INS. However, INS processing delays have caused up to a 3-year wait for adjustment. For alien children of U.S. citizens, this delay in processing can have serious consequences, for once they turn 21 years of age, they lose their immediate relative status.

An unlimited number of immediate relatives of U.S. citizens can receive green cards each year. However, there are a limited number of green cards available for the adult children of U.S. citizens.

If a U.S. citizen parent petitions for a green card for a child before that child turns 21, but the INS does not get around to processing the adjustment of status application until after the child turns 21, the family is out of luck. The child goes to the end of the waiting list. The child is being punished because of the INS ineptitude, and that is not right.

H.R. 1209 corrects this outcome by providing that a child shall remain eligible for immediate relative status as long as an immigrant visa petition was filed for him or her before turning 21.

The fact that we have to consider debate and pass this bill is just one more reason why the Immigration and Naturalization Service needs to be dismantled and restructured. I await eagerly for the administration's INS reform proposal, because it cannot come too soon. I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it gives me great pleasure to offer my support for the Child Status Protection Act of 2001 and to thank our subcommittee chairman, the gentleman from Pennsylvania (Mr. GEKAS), for joining me and leading on this particular initiative, which is the result and the culmination of a bipartisan agreement, that addresses the status of unmarried children of U.S. citizens, who turn 21 while in the process of having an immigrant visa petition adjudicated. In particular, Mr. Speaker, let me say that we have been working on this for a very long time, and we are delighted that the House will have an opportunity to vote on this today.

The age and marital status of the offspring of U.S. citizens determine whether they are eligible for immigrant status as immediate relatives or under the family-first preference category. Briefly, H.R. 1209 would protect the status of children of United States citizens who age out while awaiting the processing and adjudication of immediate relative petitions.

Let me thank our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking member, the gentleman from Michigan (Mr. CONYERS). I thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for his remarks in support of this legislation today and join him in realizing that we all look forward to the INS restructuring in order to have these problems internally fixed.

In this instance, we have had to fix this by legislative initiative. The child of a U.S. citizen is eligible for admission as an immediate relative. Immediate relatives of U.S. citizens are not subject to any numerical restrictions. Again, this is a focus on accessing legalization or ensuring that those immigrants who are here are able to seek legalization and become citizens or legal residents, as is important.

That is, visas are immediately available to immediate relatives under the statute, subject only to the processing time required to adjudicate the immediate relative visa petition. Thus, the only wait that such children are required to endure is the time it takes to process their paperwork. When a child of the U.S. citizen ages out by becoming 21, the child automatically shifts from the immediate-relative category to the family-first preference category.

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This puts him or her at the end of a long waiting list for a visa. It, therefore, diminishes the ability to access legalization.

Generally, 23,400 family-first preference visas are available each year to the adult, unmarried sons and daughters of citizens. As of January 1997, 93,376 individuals were on the waiting list. For nationals of Mexico, visas are now available for petitions filed by April 1994. For nationals of the Philippines, visas are now available for petitions filed by May 1988. Thus some sons and daughters of citizens will have to stay on a waiting list from 2 to 13 years entirely because the INS did not in a timely manner process the applications for adjustment of status on their behalf.

Mr. Speaker, H.R. 1209 addresses the predicament of these immigrants seeking legalization who, through no fault of their own, lost the opportunity to obtain an immediate relative visa before they reach age 21.

This bill corrects the problem of aging-out under current law. However, once children reach 21 years of age, they are no longer considered immediate relatives under the INS. Thus, instead of being entitled to admission without numerical limitation, the U.S. citizens' sons and daughters are placed in the back of the line of one of the INS backlog family-preference categories of immigrants.

This bill, with the new added compromise language that I proposed last year, will solve the age-out problem without displacing others who have been waiting patiently in other visa categories. In essence, Mr. Speaker, we have a bill that provides a solution, but is also equitable. It is fair to all who are now under this particular process; and more importantly, it gives the INS the tools it needs to work with to be fair to those who are themselves seeking to be governed by the laws of the United States of America.

Mr. Speaker, I would like to thank our chairman, our ranking member of the full committee, and the gentleman from Pennsylvania (Mr. GEKAS), the subcommittee chairman; and I look forward to further bipartisan agreements in the future.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GEKAS), the chairman of the Subcommittee on Immigration and Claims.

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me this time.

The explanation of the bill as offered by both the chairman and the ranking minority member of the subcommittee in question suffices to place on the record an opportunity for the House of Representatives and eventually the entire Congress to approve this piece of legislation. My biggest fear that it might not pass is that it makes sense. The bill makes adequate, perfect common sense. That has always been a drawback to final successful passage of legislation as we have noted over the years.

Why does it make common sense? It simply makes certain that an individual who is a minor at the time that his or her parents filed for the adjustment of status and who then turns 21, under the current law, is thrown into a completely different category and could wait years for final adjudication of that particular status. What this bill does is treat the person who turns 21 as if he were or she were a minor at the time that the status was first filed.

What I hope this is is a signal to all that our subcommittee and the full Committee on the Judiciary have been and will continue to be very sensitive to individual cases of injustice on a whole range of issues. These injustices were perpetrated in this particular set of circumstances inadvertently by the way that the original law was fashioned. What we do here today is adjust, through the use of common sense, a bad situation. We know that horror stories of other types will confront us, but at least we have a chance to correct a series of horror stories here today.

Mr. Speaker, I ask for everyone to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have no further speakers. I simply want to conclude by saying that we worked two sessions on this legislation. We believe that this will reunite families. This is what our immigration laws are all about, to unite families.

Again, I want to offer my thanks to the chairman of the full committee and the chairman of the subcommittee, as well as the ranking member of the full committee.

Mr. SMITH of Texas. Mr. Speaker, I want to commend my colleague, GEORGE GEKAS, Chairman of the Immigration and Claims Subcommittee, and Subcommittee Ranking Member SHEILA JACKSON-LEE for introducing H. R. 1209, the "Child Status Protection Act of 2001."

This legislation addresses a problem I have been concerned about since the last Congress. Children of citizens are penalized because it takes the INS an unacceptable length of time—often years—to process adjustment of status applications. In some cases the wait is so long that minor children become adults while waiting for the INS to act. When they become adults, they lose the privileged status of immediate relatives of citizens and are placed at the end of the first preference waiting list. This means an additional wait of 2–13 years for their green cards.

H. R. 1209 provides that an alien child of a U.S. citizen shall remain eligible for immediate relative status as long as an immigrant visa petition was filed before the child turned 21.

I hope that after Congress restructures the INS and the federal government provides immigration benefits in a more professional and expeditious manner, we won't need to pass bills such as H. R. 1209.

I urge my colleagues to support this piece of legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from

Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1209, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Ms. JACKSON-LEE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

FARMER BANKRUPTCY CODE EXTENSION ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1914) to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The Clerk read as follows:

H.R. 1914

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105–277, as amended by Public Law 106–5, Public Law 106–70, and Public Law 107–8, is amended—

(1) by striking ''June 1, 2001'' each place it appears and inserting ''October 1, 2001'', and

(2) in subsection (a)—

(A) by striking ''June 30, 2000'' and inserting ''May 31, 2001'', and

(B) by striking ''July 1, 2000'' and inserting ''June 1, 2001''.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on June 1, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Wisconsin (Ms. BALDWIN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1914, the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1914.

Without question, the family farmer has always played and continues to play a critical role in our Nation's economic health and well-being. Unfortunately, bad weather, rising energy costs, volatile marketplace conditions, competition from large agribusinesses, and the economic forces experienced by any small business affect the financial stability of some family farmers.

In response to the special needs of small family farmers in financial distress, our bankruptcy laws offer a particularized form of bankruptcy relief available only to these individuals and businesses. Typically referred to as chapter 12 of the Bankruptcy Code, this form of bankruptcy relief was enacted on a temporary basis as a part of the Bankruptcy Judges, United States Trustees and Family Farmers Bankruptcy Act of 1986. That has subsequently been extended on several occasions, most recently on February 28 of this year, and the extension expired on June 1.

While statistically chapter 12 is utilized rarely; in fact, less than 250 chapter 12 cases were filed in the 12-month period ending March 31, 2001, its availability is crucial to family farmers. Absent chapter 12, family farmers would be forced to file for bankruptcy relief under the code's other alternatives. None of these forms of bankruptcy relief, however, work quite as well for farmers as chapter 12. Chapter 7, for example, would require a farmer to sell the farm and to pay the claims of the creditors. With respect to chapter 13, many farmers would simply be ineligible to file under that form of bankruptcy relief because of its debt limits. Chapter 11 is an expensive and often time-consuming process that does not readily accommodate the special needs of farmers.

By virtue of H.R. 1914, chapter 12 will be reenacted retroactive to June 1 of this year and extended for 4 months through October 1, 2001. It is, however, important to note that H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001, which the House passed by an overwhelming majority earlier this spring and its Senate counterpart, which the other body also passed by a substantial margin, would make chapter 12 a permanent fixture of the Bankruptcy Code for family farmers. It is my sincere hope that in the very near future, we will be able to proceed to conference on pending House and Senate bankruptcy legislation and to present a conference report for approval by both Houses. In the meantime, I urge my colleagues to vote for H.R. 1914.

Mr. Speaker, I reserve the balance of my time.

Ms. BALDWIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, once again, we are here today to renew chapter 12 bankruptcy protection for our Nation's family farmers. The bipartisan legislation before us today, H.R. 1914, which I am happy to cosponsor with the gentleman from Michigan (Mr. SMITH), would allow chapter 12 bankruptcy filings to continue through the end of this fiscal year.

Bankruptcy often requires liquidation of real property rather than reorganization if debtors have significant assets. Of course, for family farmers, this means that their farm equipment and other assets often disqualify them from reorganization under chapters 11 or 13, and they are forced into chapter 7 liquidation. Chapter 12 is specifically tailored for family farmers, and it allows these family farmers to keep essential farm assets and reorganize their debts.

In February, the House passed H.R. 256, also sponsored by the gentleman from Michigan (Mr. SMITH) and myself, which retroactively extended chapter 12 of the Bankruptcy Code through May 31 of 2001. That legislation was signed by President Bush on May 11. However, the chapter 12 authorization has now expired once again, and this legislation will extend chapter 12 protection until September 30, 2001.

The bankruptcy reform bill which has passed both Houses of Congress, H.R. 333, includes a permanent reauthorization of chapter 12; but since the current authorization has expired, our farmers need immediate relief. With the current year's crops in the ground, farmers need to know that they can reorganize and keep their farms. Our bill will provide the security that those family farmers who are in crisis will need to decide whether to stay in business for one more year.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3½ minutes to the gentleman from Michigan (Mr. SMITH), the author of the bill.

Mr. SMITH of Michigan. Mr. Speaker, the next bill we introduce should be that we make this permanent. This seems to me ridiculous that we come before this body every 4 or 5 or 6 months to make a temporary increase in legislation in the bankruptcy law that is so important to American farmers. Let me just tell my colleagues why it is so important to farmers.

Farmers, under the other provisions of the bankruptcy law which the two previous speakers related to, have to file either under chapter 13 or 11 or 7; and in most cases, they are required to sell a lot of their machinery, which means that if they want to try to work themselves out of that financial situation, there is no possibility of doing it without machinery.

It was just a few months ago that we were on this floor of the House urging our colleagues to vote for H.R. 256. This was a bill to retroactively bring chapter 12 to May 31. I am pleased that the bill was signed by the President, but also now we are with this bill that I urge my colleagues to support. I had